the total effect is not necessarily the reduction in prices of formulations, though while determining the price of a price-controlled formulation, the Government takes into account all the factors including reduction in customs element in bulk drug price. The prices of relevant formulations in the decontrolled category are being kept under watch to ensure that the companies do not derive unintended benefit.

(d) Import price of a bulk drug depends on the situation in the international market as prevailing from time to time.

Case of overcharging of price under DPCO of 1979 and 1987

515. SHRI H. HANUMANTHAPPA:
SHRI RAJNI RANJAN SAHU :

Will the PRIME MINISTER be pleased to state :

(a) What are the details of cases of overcharging of price which have so far been identified under DPCO, 1987;

(b) whether the cases under DPCO 1979 relating to overcharging have been dropped and if not, what is the position thereof;

(c) when each case came to the notice of Government, what was the product and the company involved and what the present position of each case; and

(d) whether extent of liability due to overcharging have been determined in each case and if not, what are the particulars of the cases where liability has been worked out and what are the details of those where liability has not been determined so far ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) to (d) The details of cases of overcharging under DPCO 1979 and DPCO, 1987 including the details of names of companies, the period and the drug involved and the tentative liabilities assessed is attached in the Annexed Statement. (*See* below). The process of assessment of liabilities entails scrutiny of the relevant data regarding production sales and sales prices and the delay in determination of the liability has occurred on account of non-recept of data from the companies in a number of cases. There is no question of dropping any case relating to overcharging under DPCO, 1979.

Statement

Over-Charging of Price under DPCO-1979 and DPCO-1987

(I) *SUPREME COURT CASE COMPANIES*

(Rs. in lakhs)

Sl. No.	Name of the Company (Drugs involved)	Period involved	Tentative Assessment	Amount Received
1	2	3	4	
1	M/s. Cyanamid (I) Ltd. . . . (Demethylchloro Tetracycline & Formulations)	Upto Oct. '83	490.47	100-00
		1984-87	830.05	
		TOTAL :	1320.52	
2	M/s. Hoechst (I) Ltd. . . . (Baralgon Ketone, PMT, Frusemide, Pheniramine Maleate, Glybenclamide & Formulations)	Upto Dec. '83	2491.05	312.10
		1984-87	5289.75	
		TOTAL :	7780.80	

1	2	3	4	5
3.	M/s. John Wyeth	Upto Dec. '83	206.04	45.00
	& M/s. Geoffrey Manners	1984-87	299.95	
4.	(Benzathice Penicillin & Formulations)			
		TOTAL:	505.99	
5.	M/s. Merind	Upto Dec. '83	781.58	Nil
	(Dexamethasone & Formulations)	1984-87	1610.14	
		TOTAL:	2391.72	
6.	M/s. Pfizer	Upto Dec. '83	87.61	19.90
	(Oxytetracycline & Formulations)	1984-87	n.a.	
		TOTAL:	87.61	
7.	M/s. Franco India & M/s. Griffon.	Upto Dec. '83	14.02	1.43
8.	(Phenoxymethyl Pen. Tablets).	1984-87	n.a.	
		TOTAL:	14.02	
9.	M/s. Tamilnadu Dadha . . .	Upto Dec. '83	37.97	Nil
	(Calcium Lactate)	1984-87	n.a.	
		TOTAL:	37.97	
10.	M/s. Anil Starch	Upto Dec. '83	11.61	Nil
	(Dextrose Anhydrous)	1984-87	1.16	
		TOTAL:	12.77	
11.	M/s. S.G. Pharmaceuticals. . .	Upto Dec. '83	205.36	Nil
	(Oxyphenbutazone)	1984-87	n.a.	
		TOTAL:	205.36	
12.	M/s. Ethnor	Upto Dec. '83	10.19	10.19
	(Tetramisole HCL. Decaris Tablets)	1984-87	n.a.	
		TOTAL:	10.19	
		SUB-TOTAL:	12366.95	488.62

(2) *OTHER COMPANIES*

Sl. No.	Name of the Company (Products involved)	Period Involved	Tentative Assessment	Amount deposited
1.	2.	3.	4.	5.
1.	M/s. Glaxo (I) Ltd. . . .	1981 to Aug. '87	7178.00	819.00
	(Betamethasone & its salts)			
2.	M/s. Sarabhai Chem. . . .	Misc.	20.00	20.00
3.	M/s. Sandoz (I) Ltd. . . .	1-4-1986 to	74.68	—
	(Multivitamins)	Sept. 1987		
4.	M/s. Pfizer	April 1986 to	98.00	—
	(Multivitamins)	Dec. 1988		
5.	M/s. Parke Davis	Aug. 1983 to	1466.15	—
	Multi Vitamin	Aug. 1987		

n. a. : not assessed.

1	2	3	4	5
6.	M/s. Abbott Labs. (Multivitamins)	March 1986 to Aug. 1987	182.38	—
7.	M/s. Burroughs Wellcome (Sulphamethoxazole)	1979-80 to Feb. 1984	441.27	—
8.	M/s. Lyka Labs. (Fluocinolone Acetonide)	1979-80 to August, 1987	678.73	—
9.	M/s. Warner Hindustan (now M/s Parke Davis) (Isokin & Pyridium)	1982 to 1986	106.36	55.49
10.	M/s. Boehringer Knoll (Buglucon)	13-12-84 to 31-1-1988	97.74	—
11.	M/s. Carews (Combiflam)	Nov. 86—Dec. 88	710.24	—
12.	M/s. IDPL (Imported Bulk Drugs)	1985-86 to 1987-88	336.45	—
13.	M/s. Krupa Traders (Rifampicin)	1989-90	20.48	—
14.	M/s. IDPL (Sulphadimidine)	Aug. 87 to Nov. 87	37.30	—
15.	M/s. A.P. Chemicals (Paracetamol)	Feb. '88 to Nov. '89	25.43	—
16.	M/s. Malladi Drugs (Ephedrine)	April, 88 to March, 90.	116.30	—
17.	M/s. Lupin Labs. (Rifampicin)	1988 to 1991	3.72	—
18.	M/s. Lupin Labs. (Ethambutol)	1989 to 1990	17.31	—
19.	M/s. Pfizer India Ltd. (Protinex)	April, 86 to July, 89	81.83	—
20.	M/s. Bayer India Ltd. (Chloroquine Phosphate)	1979-80 to 1988	107.37	—
		SUB-TOTAL (*b*):	11799.74	894.49
		TOTAL (*a*+*b*):	24166.69	1382.11
(3)	**RECOVERIES UNDER PARA 7(2)**			
	RIFAMPICIN			
1.	Biochem Pharmaceuticals	3/79 to 3/84	34.28	—
2.	Lyka Labs.	4/79 to 3/84	57.57	5.70
3.	Astra-IDL	82-83 to 5/84	24.11	2.41
4.	Micro Labs.	79-80 to 82-83	2.24	—
5.	Themis Chemicals	82-83 to 83-84	36.31	—
6.	Alembic Chemicals Labs.	81-82 to 83-84	38.73	3.80
7.	Bombay Drug House	80-81 to 83-84	1.73	—
8.	Pharmad P. Ltd.	79-80 to 83-84	66.01	—
9.	Dolphin Labs.	1979 to 1983	18.11	—
10.	Albert David Ltd.	11/81 to 9/83	3.91	3.91
11.	Pharma & Chem. ltd.	80-81 to 82-83	87.99	—
12.	Cadila Labs. P. Ltd.	79-80 to 83-84	76.52	7.50
13.	Sarabhai Chemicals	82-83 to 83-84	4.14	2.00
14.	Lupin Laboratories	8/80 to 3/84	215.89	21.60
15.	Ranbaxy Laboratories Ltd.	4/79 to 6/84	36.23	3.63
16.	Wallace Pharmaceutical	4/82 to 2/84	2.82	0.29
17.	Ethico Drug & Chem Co.	5/82 to 3/84	140.98	—
18.	IDPL	12/80 to 1/86	2.13	—
19.	HAL	81-82 to 83-84	36.66	—
		SUB-TOTAL :	886.41	50.84

1	2	3	4	5
	DIPYRADIMOL			
1.	German Remedies . . .	4/79 to 7/84	59.95	59.95
	GENTAMYCIN			
1.	Fulford I. Ltd., ...	79/80 to 2/84	194.62	50.00
2.	Biochem Pharma Ltd. . . .	79/80 to 3/84	33.88	—
3.	Lyka Labs. Ltd.	7/79 to 3/84	17.47	1.75
4.	Nicholas Labs.	79/80 to 3/84	53.03	10.00
			299.00	61.75
	SALBUTAMOL			
1.	Khandelwal Labs.	79-80 to 81-82	0.15	—
2.	Biddle Sawyer P. Ltd. . . .	4/79 to 3/83	142.74	—
		SUB-TOTAL:	142.89	0.00
	CLOFAZAMINE			
1.	S. G. Pharmaceuticals . . .	4/79 to 3/84	5.01	—
	AMPICILLIN & AMOXYCILLIN			
1.	Biochem Pharma Ltd. . . .	79-80 to 83-84	11.80	—
	OXYPHENBUTAZONE			
1.	Tablets India Ltd.	79-80 to 83-84	9.49	—
	METRONIDAZOLE			
1.	Boots India Ltd.	79-80 to 8/87	62.17	47.92
2.	SSPL	79-80 to 83-84	7.82	—
3.	KSDPL	79-80 to 83-84	5.50	—
4.	Khandelwal Labs.	79-80 to 3/84	1.34	—
5.	IDPL	79-80 to 3/84	20.33	—
		SUB-TOTAL:	97.16	47.92
	TRIMETHOPRIM			
1.	German Remedies . . .	2/82 to 5/86	8.25	8.25
		TOTAL (*c*)	1519.96	228.71
		GRAND TOTAL (*a*+*b*+*c*)	25686.65	1511.82